

PROPOSED REPEAL AND REPLACE - STRIKETHROUGH
Strikethrough represents language the Department is proposing to delete.
Underline represents language the Department is proposing to add.

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS
PART 7 EDUCATOR LICENSURE APPLICATION FEE

6.60.7.1 ISSUING AGENCY: Public Education Department, hereinafter the department.
[6.60.7.1 NMAC - Rp, 6.60.7.1 NMAC, 8/13/2019]

6.60.7.2 SCOPE: ~~[Any and all applicants and applications for obtaining a department license, renewing or advancing a license, certification, and/or license endorsement]~~ Individuals submitting initial and renewal applications for educational licensure and adding endorsements.
[6.60.7.2 NMAC - Rp, 6.60.7.2 NMAC, 8/13/2019; A, 1/18/2023]

6.60.7.3 STATUTORY AUTHORITY: Sections 9-24-8, 22-2-1, 22-2-2, 22-8-44, and 22-10A-3 NMSA 1978.
[6.60.7.3 NMAC - Rp, 6.60.7.3 NMAC, 8/13/2019; A, 1/18/2023]

6.60.7.4 DURATION: Permanent.
[6.60.7.4 NMAC - Rp, 6.60.7.4 NMAC, 8/13/2019]

6.60.7.5 EFFECTIVE DATE: August 13, 2019, unless a later date is specified in rule or a later date is cited in the history note at the end of the section.
[6.60.7.5 NMAC - Rp, 6.60.7.5 NMAC, 8/13/2019]

6.60.7.6 OBJECTIVE: ~~[This rule establishes fees for applicants and applications]~~ This rule establishes requirements for the payment of fees that apply to initial and renewal applications for educational licensure and additional endorsements.
[6.60.7.6 NMAC - Rp, 6.60.7.6 NMAC, 8/13/2019; A, 1/18/2023]

6.60.7.7 DEFINITIONS:

A. "Applicant" means a person who has submitted ~~[an application or who]~~ or intends to submit an application to the department.

B. "Application" means a formal written or online request, on a department-approved form, to the department for issuance of a department license, license renewal, license continuation, license advancement, certification, or license endorsement.

C. "Application fee" means all fees, monies, remittances, or charges owed for the processing of a department application but does not include any additional fees, monies, or charges owed for the processing of a background check.

D. "Indigence" means the financial inability to pay or afford, without extreme hardship, an application fee.

E. "Micro-credential" means a competency-based process made up of several courses, each focused on a discrete skill or area aligned with the educator evaluation system.

~~[E]~~ **F. "Military member"** means an active duty member or reservist, or spouse or dependent of a person currently serving in the armed forces or armed forces reserve, of the United States.

~~[F]~~ **G. "PDD"** means the professional development dossier defined in 6.69.4.11 NMAC for advancing from a level one to level two license or from a level two to level three license.

~~[G]~~ **H. "PDD strand"** means one of three categories used to measure evidence of teacher competency on the professional development dossier. Submission of any of the following strands will incur fees:

- (1) the instruction strand;
- (2) the student learning strand; and
- (3) the professional learning strand.

~~[H]~~ **I. "Veteran"** means an individual who has received an honorable discharge or separation from the armed forces of the United States.

[6.60.7.7 NMAC - Rp, 6.60.7.7 NMAC, 8/13/2019, A, 6/9/2020; A, 1/18/2023]

6.60.7.8 APPLICATION FEES:

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- A. An applicant shall remit an application fee to the department for each application submitted unless multiple licensure applications are submitted simultaneously.
 - B. Should multiple licensure applications be submitted simultaneously, the following shall apply:
 - (1) only a single application fee shall be incurred; and
 - (2) the highest application fee shall apply.
 - C. Application fees must be remitted to the department by money order, certified check, or other forms of payment acceptable to the department.
 - D. Payment, in all forms, must be made to the “New Mexico public education department”.
 - E. Unless there has been a determination of indigence, all application fees once submitted, are non-refundable, and shall not be returned to an applicant.
 - F. The department shall deposit all received application fees in the department educator licensure fund.
- [6.60.7.8 NMAC - Rp, 6.60.7.8 NMAC, 1/18/2023]

6.60.7.9 FEE SCHEDULE:

- A. Initial licensure applications. Applicants for initial licensure shall pay an application fee of one hundred fifty dollars (\$150) unless another application fee is specified below:
 - (1) applicants for initial licensure as an educational assistant shall pay an application fee of fifty dollars (\$50);
 - (2) applicants for initial licensure as a school health assistant shall pay an application fee of fifty dollars (\$50);
 - (3) applicants for initial licensure as a substitute teacher shall pay an application fee of fifty dollars (\$50);
 - (4) applicants for initial licensure as an athletic coach shall pay an application fee of fifty dollars (\$50); and
 - (5) applicants for initial licensure for Native American language and culture certification shall pay a fee of fifty dollars (\$50).
- B. Renewal applications of an existing educator license. Applicants for renewal of an existing educator license shall pay an application fee of one hundred twenty dollars (\$120) unless another application fee is specified below:
 - (1) applicants for renewal of an existing educator license as an administrator shall pay an application fee of one hundred thirty dollars (\$130);
 - (2) applicants for renewal of an existing educator license as an educational assistant shall pay an application fee of fifty dollars (\$50);
 - (3) applicants for renewal of an existing educator license as a school health assistant shall pay an application fee of fifty dollars (\$50); and
 - (4) applicants for renewal of an existing educator license as a substitute teacher shall pay an application fee of fifty dollars (\$50).
- C. Renewal applications of an existing certification.
 - (1) Applicants for renewal of an existing educator certification shall pay a renewal application fee of one hundred twenty dollars (\$120).
 - (2) Applicants for renewal of Native American language and culture certification shall pay a fee of fifty dollars (\$50).
- D. Advancement applications by completion of the PDD.
 - (1) Applicants who have not previously submitted an application for advancement to a higher level of teacher license for the level of license sought shall pay three hundred twenty dollars (\$320).
 - (2) Applicants who have previously submitted an application for advancement to a higher level of teacher license for the level of license sought shall pay:
 - (a) one hundred ten dollars (\$110) for an application that includes one PDD strand;
 - (b) two hundred twenty dollars (\$220) for an application that includes two PDD strands; or
 - (c) three hundred twenty dollars (\$320) for an application that includes three PDD strands.
 - (3) Applicants who concurrently submit a renewal of existing educator license application and an advancement application shall pay no renewal of existing application fee.

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(4) In order to concurrently submit a renewal of existing educator license application and an advancement application the following must occur:

(a) the advancement application must be submitted on the same date or before the renewal of an existing educator license application;

(b) the advancement application fees must be received upon the date of the advancement application submission; and

(c) the renewal of existing educator license application must be received by the department within five business days of the advancement application.

E. Applicants seeking advancement to higher levels of licensure by completion of a series of micro-credentials shall pay a fee of \$60 per micro-credential.

~~E.~~ F. Endorsement applications. Applicants seeking to add an endorsement to an existing license shall pay a fee of one hundred twenty dollars (\$120).

[6.60.7.9 NMAC - Rp, 6.60.7.9 NMAC, 8/13/2019, A, 6/9/2020; A, 1/18/2023]

6.60.7.10 LICENSURE APPLICATION FEE EXEMPTIONS:

A. An application fee shall not be charged for any of the following applications:

(1) application for name change;

(2) application for address change;

(3) application for replacing lost or misplaced licenses; and

(4) applicants with an alternative license who meet the requirements to transition their

license to a standard level one license.

B. An application fee shall not be charged to an individual who qualifies as indigent.

C. An application fee charged to an individual who qualifies as indigent may be returned.

D. An application fee shall not be charged for the first three years a license is issued to an individual who qualifies as a military member or veteran and who has provided one of the following:

(1) DD Form 214;

(2) United States uniformed services identification card; or

(3) marriage license and a copy of spouses' orders for mobilization or deployment.

E. A license issued to an applicant identified as a military member or veteran with an expired educator license shall not be valid for more than one year.

[6.60.7.10 NMAC - Rp, 6.60.7.10 NMAC, 8/13/2019, A, 1/18/2023]

6.60.7.11 STANDARD OF INDIGENCE:

A. An indigence determination shall be made according to the following process:

(1) The request for indigence:

(a) shall be made on a form approved by the department;

(b) shall include any supporting documentation and be submitted to the department within five business days of any application submission; and

(c) a request for indigence shall include a signed statement, certifying that the

licensee is indigent.

(2) The department's review:

(a) the department shall review and make a determination of indigence within 30 days;

(b) the determination shall not consider any potential loss or gain of income associated with a department license, renewal, license continuation, license advancement, license, certification, or license endorsement;

(c) the determination of indigence shall be solely within the discretion of the department; and

(d) the determination of indigence shall be final and not subject to review.

B. An applicant is presumed indigent if the applicant is a current recipient of one or more of the following:

(1) medicaid;

(2) supplemental security income [~~(SSI)~~];

(3) public assisted housing;

(4) department of health case management services [~~(DHMS)~~]; or

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(5) temporary assistance for needy families [~~TANF~~].
[6.60.7.11 NMAC - N, 6.60.7.11 NMAC, 8/13/2019; A, 1/18/2023]

HISTORY OF 6.60.7 NMAC:

6.60.7 NMAC, Educator Licensure Application Fee, filed 10/13/2000, was repealed and replaced by 6.60.7 NMAC, Educator Licensure Application Fee, effective 8/13/2019.

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